

Administrative Measures for Entry and Exit Inspection and Quarantine on Ships of International Sails

Approved by the General Administration of Quality Supervision, Inspection and Quarantine at the House Meeting on December 19, 2002, promulgated by Decree No. 38 of the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China as issued by Director Li Changjiang on December 31, 2002, and come into effect on March 1, 2003.

Administrative Measures for Entry and Exit Inspection and Quarantine on Ships of International Sails

Chapter I General Provisions

Article 1 For the purpose of strengthening the administration of the entry and exit inspection and quarantine on ships of international sails to facilitate their entry in and exit from the ports of the People's Republic of China, these Measures are formulated in accordance with the Frontier Health and Quarantine Law of the People's Republic of China and its rules for implementation, the Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine and its regulations for implementation, the Law of the People's Republic of China on Import and Export Commodity Inspection and its regulations for implementation, and the Procedures for International Navigation Ships Entering and Exiting Ports of the People's Republic of China.

Article 2 Ships of international sails (hereinafter referred to as the ships) mentioned in the Measures are referred to the ships of foreign origin which enter and exit frontier ports of the People's Republic of China and ships of Chinese origin which sail international navigation routes.

Article 3 General Administration of Quality Supervision, Inspection and Quarantine (hereinafter referred to as AQSIQ) shall be in charge of the inspection and quarantine of ships entering and exiting frontier ports of the People's Republic of China (hereinafter referred to as the ports). The local entry-exit inspection and quarantine authorities (hereinafter referred to as the inspection and quarantine authorities) set up by AQSIQ shall be responsible for the inspection and quarantine, and supervision and administration of the ships entering and exiting the ports in regions under their jurisdiction.

Article 4 Inspection and quarantine on ships of international sails entering and exiting the ports shall be conducted in accordance with the stipulations of the Measures.

Chapter II Entry Inspection and Quarantine

Article 5 Ships entering the country shall be subject to quarantine inspection and going through formalities of entry inspection and quarantine at designated places at the first port of their arrival.

Article 6 The owner or the agent of a ship should declare to the inspection and quarantine authorities concerned and fill in the declaration form of entry quarantine 24 hours before its arrival at the port (before exiting the previous port if the voyage takes less than 24 hours). If any changes happen to the ship movement or to the declared contents, the owner or the agent of the ship should promptly make correction to the inspection and quarantine authorities concerned.

Article 7 For ships subject to entry quarantine inspection, in the course of navigation, if a quarantinable epidemic disease, a disease suspected to be quarantinable, or a death due to an unidentified cause other than accidental harm is discovered, the owner of the ships must make an immediate report to the inspection and quarantine authorities of the entry port.

Article 8 The inspection and quarantine authorities concerned shall carry out examination to the declared contents in order to decide on the way of quarantine as follows, and shall inform the owner or the agent of the ships promptly:

(1) anchorage quarantine;

- (2) telecommunications quarantine;
- (3) berthing quarantine;
- (4) accompanying quarantine.

Article 9 Anchorage quarantine shall be implemented by the inspection and quarantine authorities on ships with any of the following conditions:

- (1) Having come from areas where a quarantinable infectious disease is epidemic;
- (2) Having come from animal and plant epidemic areas that are specifically required by the state;
- (3) carrying people who have or are suspected to have contracted quarantinable infectious diseases or bodies of those who have died due to an unidentified cause other than accidental harm;
- (4) carrying cargoes of live animals;
- (5) discovering unusual deaths of rodents;
- (6) being old and disused ships;
- (7) not having a valid Deratting/Exemption from Deratting Certificate;
- (8) applying for anchorage quarantine inspection by the ship;
- (9) operational need of the inspection and quarantine authorities.

Article 10 For ships with a valid Conveyance Sanitation Certificate issued by the inspection and quarantine authorities of the state, and without any of the conditions as mentioned in Article 9, telecommunications quarantine shall be implemented by the inspection and quarantine authorities upon application of ships or their agents.

With the permission for telecommunications quarantine granted by the inspection and quarantine authorities, ships shall assume the implementation of telecommunications quarantine. Ships or their agents shall go through the entry inspection and quarantine formalities 24 hours prior to their arrival.

Article 11 For ships without a valid Conveyance Sanitation Certificate, and without any of the conditions as mentioned in Article 9, or not possible to implement anchorage quarantine due to weather and tidal reasons, berthing quarantine shall be implemented by the inspection and quarantine authorities upon application of ships or their agents.

- Article 12** For special ships like cruise ships, military vessels, ships carrying very important persons for visit purposes, as well as those ships under special circumstances, such as with patients requiring medical treatment on board, with urgent needs to load and unload special supplies, requiring emergency repairs, etc., accompanying quarantine shall be implemented upon application of ships or their agents.
- Article 13** Ships subject to entry quarantine shall hoist quarantine signals in accordance with requirements. Quarantine signals shall not be removed before the issue of entry quarantine certificate or notification of completion of quarantine inspection by the inspection and quarantine authorities. No persons other than navigation pilots and those authorized by the inspection and quarantine authorities shall be allowed to get on board the ships; no loading and unloading of goods, luggage, postal parcels, etc., shall be allowed; no other ships shall be allowed to get close; no persons on board shall be allowed to leave the ship without the permission of the inspection and quarantine authorities, unless the ship is in distress. The navigation pilot shall not guide the ship away from the quarantine anchorage without the permission of the inspection and quarantine authorities before the quarantine inspection is completed.
- Article 14** In going through the entry inspection and quarantine formalities, ships or their agents shall submit to the inspection and quarantine authorities Maritime Declaration of Health, General Declaration, Cargo Declaration, Crew List, Passenger List, Ship Stores Declaration, Ballast Water Report and the cargo manifest. Information such as Deratting/Exemption for Deratting Certificate, Conveyance Sanitation Certificate, Vaccination Certificate, Health Certificate and Ship's Log Book shall also be submitted upon request of the inspection and quarantine officers.
- Article 15** Boarding quarantine to be implemented by the inspection and quarantine authorities shall be conducted with the company of ship officers and in accordance with rules and procedures for inspection and quarantine implementation.

Article 16 The inspection and quarantine authorities shall issue the Ship Entry Health and Quarantine Certificate to entry ships that are determined to be without infection; shall issue the Ship Entry Health and Quarantine Certificate to ships that are determined to be infected, suspected to be infected or coming from infected areas, and subsequently are required to implement sanitary measures or subject to other restrictions, after the corresponding sanitary measures or specified sanitary work items that are required are carried out; shall issue the Conveyance Quarantine Certificate upon request of the persons-in-charge or agents of ships coming from animal and plant epidemic areas when it is determined to pass after the quarantine inspection; shall furnish ships requiring the implementation of sanitary measures with the Notice of Inspection and Quarantine Measures, and then issue the Conveyance Quarantine Certificate upon request of ships after the authorities are satisfied with the measures.

Chapter III Exit Inspection and Quarantine

Article 17 Ships exiting the country shall be inspected and quarantined at the port of departure and go through the formalities for exit inspection and quarantine.

Article 18 The owner or the agent of a ship exiting the country shall declare to the inspection and quarantine authorities and go through the formalities for exit inspection and quarantine within four hours before the ship exits the port. If any changes happen to the personnel or goods, or the ship does not exit the port within 24 hours due to other special circumstances after going through the formalities, it is necessary to go through the formalities again. If the time of stay is less than 24 hours, the owner or the agent of a ship may, with the agreement of the inspection and quarantine authorities, go through the formalities of exiting the port while going through the formalities of entering the port.

Article 19 For ship holds used for carrying the outbound perishable foods and frozen goods shall apply for fitness inspection before loading and obtain inspection certificates. No permission shall be granted for loading and shipment until the relevant conditions are complied with. Ships carrying plants, animal and plant products and other quarantine objects

out of the country shall conform to the state regulations on animal and plant epidemic prevention and quarantine and obtain Means of Transport Quarantine Certificate. For those need to be carried out treatments of disinfection and disinfestation, only those undergo such treatments and obtain Means of Transport Quarantine Treatment Certificate shall be allowed for loading and shipment.

Article 20 When going through the formalities for exit inspection and quarantine, the owner or the agent of a ship shall submit relevant information such as Maritime Declaration of Health, General Declaration, Cargo Declaration, Crew List, Passenger List and cargo manifest (provision of such information is exempt if they are submitted during entry and there is no change) to the inspection and quarantine authorities. Relevant inspection and quarantine certificates shall be submitted under circumstances set out in Article 19.

Article 21 For approved exit inspection and quarantine information submitted by a shipowner or boarding inspection and quarantine in compliance with the relevant stipulations, the inspection and quarantine authorities shall issue Conveyance Exiting Health and Quarantine Certificate and endorse the ship exiting formalities contact list.

Chapter IV Quarantine Treatment

Article 22 Ships found to be in any of the following conditions shall implement sanitary measures:

- (1) having come from an area where a quarantinable infectious disease is epidemic;
- (2) being contaminated by a quarantinable infectious disease or infectious disease to be monitored;
- (3) revealing the presence of medical vectors which affect human health and exceed state health standards;
- (4) revealing the presence of Category I and Category II infectious animal diseases and parasitic diseases or dangerous plant diseases, insects and weeds, or ordinary diseases or insects in amounts exceeding the stipulated standards;
- (5) carrying bulk wastes and old items or decayed items that would be harmful to public health;

- (6) carrying live animals into the country and intending to carry live animals out of the country;
- (7) bringing dead bodies, coffins and human remains into the country;
- (8) being old and disused ships;
- (9) being other ships that AQSIQ requests to implement sanitary measures.

Article 23 A person on board having a quarantinable infectious disease shall be placed in isolation. The quarantinable epidemic suspect shall be kept for check-up detention or on-site clinical check-up not exceeding the incubation period of such quarantinable infectious disease.

Article 24 Epidemic animals on board shall be returned or slaughtered and destroyed. Animals suspected of having infectious disease shall be placed in isolation. Animals and plants, their products and other quarantine objects prohibited from entering the country shall be sealed up or destroyed.

Article 25 If ballast water that comes from epidemic areas and specifically required by the state to implement sanitary measures needs to be discharged, corresponding sanitary measures shall be conducted before the discharge. Domestic refuses, swills and wastes of animal or plant nature on board shall be kept in sealed containers with covers. Necessary sanitary measures shall be conducted before moving of them.

Article 26 Companion animals on board shall be placed in isolation in designated areas by shipowner. Companion animals, ship borne animals and plants and their products that really need to be brought away from the ship shall be handled in accordance with relevant quarantine stipulations.

Chapter V Supervision and Administration

Article 27 The inspection and quarantine authorities shall exercise supervision and administration over ships navigating in or staying at ports to give advice for improvement wherever sanitary conditions are unsatisfactory and factors exist that may spread infectious diseases and pests, and shall supervise and give instruction on the necessary quarantine measures to be taken.

- Article 28** The inspection and quarantine authorities shall accept and process applications from shipowners or their agents for relevant certificates, such as Deratting/Exemption from Deratting Certificate (or Extension Certificates), Conveyances Sanitation Certificate and so on.
- Article 29** Without the permission of the inspection and quarantine authorities, no ship at ports shall purposely dispose of any ballast water, garbage and waste matter, and no unit or individual shall purposely disembark from any ship with animals and plants, their products and other quarantine objects for private use on board the ship. When staying at and navigating within the country, no ship shall purposely unseal and use any product sealed up by the inspection and quarantine authorities without permission.
- Article 30** The inspection and quarantine authorities shall exercise supervision and administration over animal and plant bedding materials on board the ships, and loading and unloading shall not be allowed without the permission of the inspection and quarantine authorities.
- Article 31** Ships shall be equipped with the insecticide-spreading instruments and installations for disinfecting, treatment with insecticides and deratting and they shall be applied in accordance with the regulations.
- Article 32** Ships from the epidemic areas within the country, or when a quarantinable infectious disease, a disease suspected to be quarantinable or a death due to an unidentified cause other than accidental harm is discovered during the navigation in the country, persons in charge of the ships must report to the inspection and quarantine authorities of the port of arrival for provisional quarantine inspection.
- Article 33** The inspection and quarantine authorities shall implement health registration administration on units engaged in supply of food and drinking water for ships and the units engaged in ship sanitary measures, collection and disposal of domestic refuses, swills, wastes of animals or plant nature on board; and shall implement registration record administration on units engaged in ship agency service and shipping supplies services. Their employees shall be trained and examined according to the requirements of the inspection and quarantine authorities.

Chapter VI Supplementary Provisions

- Article 34** Inspection and quarantine of small ships of Hong Kong and Macau shall be carried out in accordance with relevant regulations of AQSIQ.
- Article 35** Inspection and quarantine of small ships plying between border areas, ships calling at non-open ports and international maritime live sea products trading ships shall be carried out with reference to the Measures.
- Article 36** Anyone, in violation of the provisions of the Measures, shall be punished in accordance with the related state laws and regulations.
- Article 37** The responsibility for interpretation of the Measures shall rest with AQSIQ.
- Article 38** The Measures shall go into effect on March 1, 2003. On the same date, the Implementation Measures for Entry and Exit Inspection and Quarantine for Animal and Plants on Ships of International Sails at Ports of the People's Republic of China (for trial implementation) promulgated by the former State Administration for Animal and Plant Quarantine on May 8, 1995 and the Administrative Measures for Inspection for Holds Carrying Export Commodities promulgated by the former State Administration for Commodity Inspection on December 29, 1994, shall be invalidated. In case of discrepancy between other relevant regulations and the Measures, the Measures shall prevail.

(Source of text: provided by AQSIQ)

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